

## OFFICIAL



सत्यमेव जयते

## GAZETTE

## GOVERNMENT OF GOA

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## Public Works Department

## Notification

CE/MBP/278/89-PW&amp;UD

Whereas certain draft rules which are proposed to be made under the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974), were published as required by section 72 of the said Act at pages 493 to 495 of the Official Gazette, Series I, No. 35, dated 30-11-1989 under the Notification No. CE/MBP/278/89-PW&UD dated 7-11-1989 of the Public Works Department, Government of Goa, inviting objections and suggestions from the persons likely to be affected thereby till 15 days from the date of publication of the said notification in the Official Gazette;

And Whereas the said Gazette was made available to the public on 30-11-1989;

And Whereas no objections and suggestions have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by section 72 read with section 54A of the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974), the Government of Goa hereby makes the following rules for the levy of fees for services rendered relating to the use of permanent bridges costing more than rupees twenty five lakhs each, completed and thrown open for the public on the Goa State Highways, namely:—

1. Short title, extent and commencement. — (1) These rules may be called the Goa State Highways (Fees for Use of Permanent Bridges) Rules, 1990.

(2) They shall extend to the whole of the State of Goa.

(3) They shall come into force at once.

2. Definitions. — In these rules, unless the context otherwise requires:—

(a) 'Act' means the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974);

(b) 'Fee Inspector' means a person authorised by the Government to collect fee in respect of any mechanical vehicle crossing a permanent bridge

and includes every Government employee posted on such bridge in connection with the collection of fees;

(c) 'Government' means the Government of Goa;

(d) 'mechanical vehicle' means any laden or unladen vehicle designed to be driven under its own power including a motor vehicle as defined in clause (28) of section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), but does not include a cart, tonga, hand driven or cycle rickshaw, bicycle, tricycle and any other animal or hand driven vehicle;

(e) 'permanent bridge' means a bridge with permanent structures, the cost of which including the cost of the bridge proper, approach roads, guide bunds and protective works as also structures constructed or improved for collection of fees is more than Rupees twenty five lakhs and which is completed and opened to traffic on State Highways on or after the 1st day of January, 1986.

(f) 'Assistant Engineer' means an officer of the State Public Works Department (Roads and Buildings) or any other Department dealing with State Highways having that designation and being incharge of a particular road or bridge located on a State Highway.

3. Rates of Fees and its Payment. — There shall be levied and paid to the Government, fees on mechanical vehicles for the use of permanent bridges at the rates specified in the Schedule to these rules.

4. Exhibition of rates of fees. — A Table of fees authorised to be levied at any permanent bridge shall be put up in a conspicuous place near a fee collection booth legibly written or printed in English, Hindi, Konkani and Marathi in which the permanent bridge is situated.

5. Procedure for collection, realisation of amount, handing, etc. — (1) All fees levied under these rules shall be collected by the Government and for this purpose necessary arrangements shall be made by the Government for putting up adequate number of collection booths (operated manually or by automatic arrangements or by combination of both as may be considered suitable by the Government) including improvement and widening of approach roads to serve the collection booths so set up.

(2) There shall be posted at either end of the permanent bridge a Fee Inspector (with necessary

police guard to assist) who shall be authorised to collect fee in respect of any mechanical vehicle crossing the said bridge at the rates specified in the Schedule.

(3) There shall be provided at either end of a permanent bridge a cross bar for securing the stoppage of mechanical vehicles.

(4) The Fee Inspector shall ensure at the cross bar that passage is not allowed to mechanical vehicles unless the fee leviable in respect thereof has been paid.

(5) Government reserves the right to allot allocation of toll for private agencies on annual lease basis by call of public tender.

**6. Mode of collection of fee.**— (1) Every driver, owner or person incharge of a mechanical vehicle, required to pay fees under these rules shall before crossing the permanent bridge or after having crossed it, stop his vehicle at the cross bar, go to the fee collection booth to pay the fee leviable in respect of the vehicle and obtain from the Fee Inspector a receipt in duplicate in Form-A appended to these rules in token of having paid the fee, before he is allowed to proceed further.

(2) In the event of two or more permanent bridges falling in close proximity to each other within eighty Kilometres, from a point at the beginning of the approach of entry of the first bridge to be crossed, there shall be levied a fee for one bridge in respect of all such bridges. The fee shall be collected from the driver, owner or person incharge of such of the vehicle or vehicles which intend to cross more than once such bridges, on the first or the last bridge or any of the intermediary bridges to be crossed and shall be allowed to pass through other bridges after showing the receipt to the Fee Inspector posted on the bridges. Details of such bridges shall be displayed at a conspicuous place near the fee collection booths of the bridges covered under this sub-rule, legibly written or printed in English, Hindi, Konkani and Marathi in which the said bridges are situated.

(3) The Fee Inspector shall, on receipt of the fee specified in the Schedule, fill up a receipt in triplicate in Form 'A' and deliver two copies thereof to the driver, owner or the person incharge of the vehicle in respect of which the fee has been paid and retain the third in his office. The motor vehicle shall be allowed to go ahead of the cross bar only after the fee has been paid and receipt issued under these rules.

(4) Where, and if, found necessary, the Government may also set up counter-checking booths. For this purpose where such a booth has been set up at some location considered suitable beyond a fee collection booth, after the mechanical vehicle has crossed the bridge and also paid the prescribed fees, the Fee Inspector on counter checking duty at the counter checking booth shall ensure that the mechanical vehicle is allowed to pass from the counter checking cross bar only after verifying or checking the copies of the receipt for payment of the fees from the driver, owner or person incharge of the vehicle.

**7. Remittance of fees collected.**— (1) The Fee Inspector on duty shall be responsible for the collec-

tion and safe custody of the amount collected towards fees during the period of his duty and shall not leave his booth till his reliever takes over from him.

(2) The Fee Inspector shall maintain a cash register in Form 'B' appended to these rules and keep it posted up-to-date.

(3) The Fee Inspector shall at the end of the period of his duty, hand over the amount collected by him to his reliever after obtaining the signature of the latter in the relevant column of the cash register.

(4) Every day between the hours of 4 and 5 in the afternoon, the Fee Inspector on duty shall hand over the entire amount of fee collected during the preceding 24 hours to the Assistant Engineer incharge of the bridge after obtaining his signature in the relevant column of the cash register.

(5) The Assistant Engineer shall keep the amounts of collection received from the Fee Inspector in the chest provided for the purpose at his office.

(6) The Assistant Engineer shall on every Saturday or if it happens to be a holiday, on the next working day, remit the amount received by him in respect of the week preceding the Saturday to the Executive Engineer who shall account the amount so received in the relevant receipt head in his books.

(7) The Assistant Engineer shall maintain a register in Form 'C' appended to these rules showing the remittances made to the Executive Engineer and shall keep the register posted up-to-date.

(8) The Assistant Engineer shall exercise supervision and control over the staff posted at the permanent bridge in connection with the collection of the fees and over the maintenance of proper accounts and records by such staff.

(9) The Executive Engineer, incharge of the road on which the permanent bridge is situated, shall check the collection and remittance of fees by the staff in accordance with these rules by paying surprise visits at least twice a month at the offices of the Fee Inspectors and the Assistant Engineer. He shall countersign the cash register maintained by the Fee Inspectors and Assistant Engineer in token of such a check having been made.

**8. Furnishing of Security.**— The Fee Inspector shall deposit a cash security of not less Rs. 1000/- by executing a security bond to that effect.

**9. Credit of the proceeds of the fees and its utilisation.**— The proceeds from the fees shall form part of the Consolidated Fund of the State of Goa.

**10. Assistance by Police.**— All Police officers of the area in whose jurisdiction the permanent bridge falls shall be bound to assist the Fee Inspectors, when required in the collection of fees under these rules, and for that purpose, shall have the same power which they have in exercise of their normal police duties.

#### SCHEDULE

Fee chargeable in respect of mechanical vehicles using permanent bridges, costing more than Rs. 25 lakhs on Goa State Highways completed and opened to traffic on or

after 1-1-1986 in regard to mechanical vehicles other than Defence Vehicles/Vehicles with V. I. P. symbols, Police Vehicles, Fire Fighting Vehicles, Ambulance, Funeral Vans, Posts and Telegraph Department Vehicles and Central and State Government Vehicles on duty.

Sr. No.	Particulars of vehicles	Fee
1.	Motor Cycle. Scooter or any other two wheeled Mechanically Propelled vehicle.	Re. 1.00
2.	Motor Car Taxi, Jeep, Pickup van, Station wagon, Tempo, Autorickshaws, Three wheeler scooters or other auto-driven light vehicles.	Single journey Rs. 3.00 Return journey Rs. 5.00
3.	Bus, truck and other heavy vehicles including trucktrailer combinations laden with goods/passengers. Unladen.	Rs. 10.00
4.	Other mechanically propelled vehicles not mentioned above like mobile cranes, dozers, earthmovers, road rollers, etc. loaded or unloaded.	Rs. 10.00 Allowed only with specific approval of the Government and on rates to be fixed.

**Notes: —**

1. The following mechanical vehicles shall be deemed to be mechanical vehicles having V.I.P. Symbols:—

President and Vice-President of India, Central and State Ministers, Leaders of Opposition in Lok Sabha/Rajya Sabha/State Legislatures having the status of a Cabinet Minister, Minister, Governors/Lt. Governors/Executive Councillors/Speakers/Deputy Speakers/Chairman of Central and

State Legislatures, Foreign dignitaries on State visit to India, Foreign Diplomats stationed in India using cars with CD Symbols.

2. No tolls should be collected for the following vehicles: Mechanical Vehicles belonging to Defence, Central Government, All State Governments, the President and Vice President of India, Central and State Minister, Leader of Opposition Parties in Lok Sabha/Rajya Sabha/All State Legislatures having the status of Cabinet Minister, Governors/Lt. Governors/ Executive Councillors/ Speakers/ Deputy Speakers/Chairman of Parliament and all State Legislatures, Foreign Dignitaries on State visit to India, Foreign Diplomats, Fire fighting vehicles, Ambulances, Funeral vans and P & T Vehicles.

**FORM 'A'**

(See rule 6)

R. No. ....

Receipt for payment of fee

Name of Bridge(s)

1. Description of mechanical vehicles with Registration Number .....
2. Whether laden or unladen or with or without passengers .....
3. Time and date of outward Journey .....
4. Name of driver and/or owner .....
5. Amount of fee paid .....

Signature of Fee Inspector

**FORM 'B'**

[See rule 7 (2)]

**CASH REGISTER**

Sl. No.	Date	Mechanical vehicle number	Name of person paying the fee	Number of receipt by which fee paid	Amount of fee paid	Progressive figures of fee paid	Signatures of fee Inspector	Signatures of successors fee Inspector	Signatures of Assistant Engineer in-charge	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.

**FORM 'C'**

[See rule 7(7)]

Register showing record of fee collection and remittance on account of fee collected on permanent bridges.

Sl. No.	Name of the Assistant Engineer in-charge	Amount collected from the Fee Inspector (deposited)	Date of Receipt	Name of the Bank from which Demand Draft is purchased	Number of Demand Draft and Date	Amount of Demand Draft	Details of Despatch of Demand Draft	Postal Registration No. of Despatch of Demand Draft	The date of Challan by which the amount collected is deposited in Govt. Account by E.E's Office	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary to the Govt. of Goa (P.W.D.)

Panaji, 21st June, 1990.

## Law (Legal and Legislative Affairs) Department

## Notification

10-6-90/LA

The following Notifications received from the Government of India, Ministry of Home Affairs, New Delhi, are hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 18th July, 1990.

## MINISTRY OF HOME AFFAIRS

New Delhi — 110001, the 4th June, 1990

## Notification

S. O. (E). — In pursuance of sub-section (2) of section 166A of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby specify that a letter of request from any Criminal Court in India referred to in sub-section (1) of that section shall be sent to the Interpol Wing, Central Bureau

of Investigation, Government of India, New Delhi — 110003, for transmission to the concerned country or place outside India through the diplomatic channel.

(F. No. 2/8/90-Judl. Cell)

K. C. Kankan, Joint Secretary to the Government of India.

New Delhi — 110001, the 4th June, 1990

## Notification

S. O. (E). — In pursuance of sub-section (2) of section 166B of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby directs that all evidence taken or collected under sub-section (1) of that section, or authenticated copies thereof or the things so collected, shall be forwarded by the Magistrate or police officer, as the case may be, to the Ministry of Home Affairs, Government of India, New Delhi — 110001, for transmission to a Court or authority in a country or place outside India through the diplomatic channel.

(F. No. 2/8/90 — Judl. Cell)

K. C. Kankan, Joint Secretary to the Government of India.